

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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AEROGROUP INTERNATIONAL, INC.,

Plaintiff,

v.

OZBURN-HESSEY LOGISTICS, LLC  
and OZBURN-HESSEY HOLDING  
COMPANY, LLC.,

Defendants/Third Party Plaintiffs,

v.

DISTRIBUTION MANAGEMENT  
GROUP, INC.,

Third Party Defendant.

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Civil Action No. 08-4217 (SDW)

**ORDER**

**THIS MATTER** having come before the Court on the motion of Plaintiff Aerogroup International Inc. ("Aerogroup") for a protective order and a motion to compel discovery against Defendants/Third Party Plaintiffs Ozburn-Hessey Logistics, LLC and Ozburn-Hessey Holding Company, LLC (collectively "OHL"), pursuant to Fed. R. Civ. P. 26 and 37 (Docket Entry No. 106); and the Court having considered the submissions of the parties, having heard oral argument on July 14, 2010; and for the reasons expressed on the record; and for good cause shown,

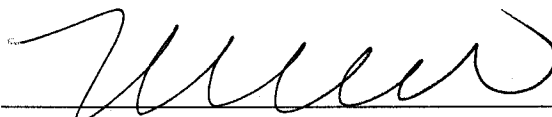
**IT IS** on this 15<sup>th</sup> day of July, 2010,

**ORDERED** that Aerogroup's motion for a protective order is **DENIED WITHOUT**

**PREJUDICE**; and it is further

**ORDERED** that Aerogroup's motion to compel is hereby **DENIED** in all respects; however, Aerogroup shall re-serve document requests narrowly tailored concerning OHL's contracts and/or performance issues with other start up customers; and it is further

**ORDERED THAT** Aerogroup's application for reasonable fees and costs incurred in filing the instant motion to compel and motion for a protective order, pursuant to Fed. R. Civ. P. 37, is hereby **DENIED**.

A handwritten signature in black ink, appearing to read 'M. Cox Arleo', is written over a horizontal line.

**MADELINE COX ARLEO**  
**UNITED STATES MAGISTRATE JUDGE**

cc: Clerk of the Court  
Hon. Susan D. Wigenton, U.S.D.J.  
All Parties  
File